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7       UNITED STATES DISTRICT COURT FOR THE  
8       WESTERN DISTRICT OF WASHINGTON  
9       AT SEATTLE

10      UNITED STATES OF AMERICA,  
11                          Plaintiff,  
12                          v.  
13      JOSEPH TROY EASTON,  
14                          Defendant.

15                          NO. CR21-174-JCC

16                          [~~PROPOSED~~]

17                          **PRELIMINARY  
18                          ORDER OF FORFEITURE**

19      THIS MATTER comes before the Court on the United States' Motion for Entry of  
20      a Preliminary Order of Forfeiture ("Motion") seeking to forfeit, to the United States,  
21      Defendant Joseph Troy Easton's interest in the following "Subject Property":

- 22      1.     A Sig Sauer, Model SP 2022, semi-automatic pistol (serial number  
23                          SP0172075), loaded with 14 rounds of ammunition recovered from the  
24                          Chevrolet Tahoe's glove box.

25      The Court, having reviewed the United States' Motion, as well as the other papers  
26      and pleadings filed in this matter, hereby FINDS that entry of a Preliminary Order of  
27      Forfeiture is appropriate because:

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- 1        • The Subject Property is forfeitable pursuant to 21 U.S.C. § 853, as property  
 2              that facilitated the Defendant's commission of Conspiracy to Distribute  
 3              Controlled Substances, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(B),  
 4              and is also forfeitable pursuant to 18 U.S.C. § 924(d)(1), by way of 28  
 5              U.S.C. § 2461(c), as firearms and ammunition involved in his commission  
 6              of Unlawful Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(1),  
 7              and Carrying a Firearm During and in Relation to a Drug Trafficking  
 8              Crime, in violation of 18 U.S.C. § 924(c)(1)(A); and,
- 9        • Pursuant to the Plea Agreement he entered on August 1, 2023, the  
 10             Defendant agreed to forfeit the Subject Property, which is subject to  
 11             forfeiture pursuant 21 U.S.C. § 853 and 18 U.S.C. § 924(d)(1), by way of  
 12             28 U.S.C. § 2461(c). Dkt. No. 601, ¶ 12.

13             NOW, THEREFORE, THE COURT ORDERS:

14        1. Pursuant to 21 U.S.C. § 853, 18 U.S.C. § 924(d)(1), by way of 28 U.S.C.  
 15             § 2461(c), and his Plea Agreement, the Defendant's interest in the Subject Property is  
 16             fully and finally forfeited, in its entirety, to the United States;

17        2. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)-(B), this Preliminary Order will  
 18             be final as to the Defendant at the time he is sentenced, it will be made part of the  
 19             sentence, and it will be included in the judgment;

20        3. The United States Department of Justice, the Drug Enforcement  
 21             Administration, and/or their authorized agents or representatives, shall maintain the  
 22             Subject Property in its custody and control until further order of this Court;

23        4. Pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n), the  
 24             United States shall publish notice of this Preliminary Order and its intent to dispose of the  
 25             Subject Property as permitted by governing law. The notice shall be posted on an official  
 26             government website—[www.forfeiture.gov](http://www.forfeiture.gov)—for at least thirty (30) days. For any person  
 27             known to have alleged an interest in the Subject Property, the United States shall also, to

the extent possible, provide direct written notice to that person. The notice shall state that any person, other than the Defendant, who has or claims a legal interest in the Subject Property must file a petition with the Court within sixty (60) days of the first day of publication of the notice (which is thirty (30) days from the last day of publication), or within thirty (30) days of receipt of direct written notice, whichever is earlier. The notice shall advise all interested persons that the petition:

- a. shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Subject Property;
  - b. shall be signed by the petitioner under penalty of perjury; and
  - c. shall set forth the nature and extent of the petitioner's right, title, or interest in the Subject Property, as well as any facts supporting the petitioner's claim and the specific relief sought.

5. If no third-party petition is filed within the allowable time period, the United States shall have clear title to the Subject Property, and this Preliminary Order shall become the Final Order of Forfeiture as provided by Fed. R. Crim. P. 32.2(c)(2);

6. If a third-party petition is filed, upon a showing that discovery is necessary to resolve factual issues presented by that petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure before any hearing on the petition is held. Following adjudication of any third-party petitions, the Court will enter a Final Order of Forfeiture, pursuant to Fed. R. Crim. P. 32.2(c)(2) and 21 U.S.C. § 853(n), reflecting that adjudication; and

7. The Court will retain jurisdiction for the purpose of enforcing this Preliminary Order, adjudicating any third-party petitions, entering a Final Order of Forfeiture, and amending the Preliminary Order or Final Order as necessary pursuant to Fed. R. Crim. P. 32.2(e).

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2 IT IS SO ORDERED.  
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7 DATED this 17th day of September 2023.  
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John C. Coughenour

THE HON. JOHN C. COUGHENOUR  
UNITED STATES DISTRICT JUDGE

Presented by:

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